

## **REMARKS**

Claims 1, 2, 4-7, 9 and 10 were presented, examined and stand rejected. In response to the Office Action, Claims 1, 2, 6 and 7 are amended, and Claims 5 and 9 are cancelled. No claims are added. Claims 3 and 8 were previously cancelled. Claims 1, 2, 4, 6, 7 and 10 remain in the application. Reconsideration is respectfully requested in view of the foregoing amendments and the remarks that follow.

### **I. Objection to the Claims**

Claim 4 is objected to because the dependency needs to be changed from Claim 1, to Claim 2, because the error compensation coefficients have been introduced by Applicants in Claim 2. Applicants have amended Claim 4 to change the dependency to Claim 4. Applicants respectfully request the Examiner withdraw the objection to Claim 4.

### **II. Rejection to the Claims under 35 U.S.C. § 112**

Claims 6, 7, 9 and 10 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Applicants have amended independent Claim 6 to clarify that the error compensated data is generated by compensating a frequency down converted signal, which is the transmitting signal that passes through a frequency down converter. Thus, the amendment clarifies that the error compensated data is not the same as the frequency down converted signal, as asserted by the Examiner on page 2 of the Office Action. The amendment is consistent with the drawing in Figure 3, which shows that the signal paths of the error compensated data and the frequency down converted signal.

Claim 9 is cancelled. Claims 7 and 10 depend from Claim 6 and incorporate the amended limitations thereof. Accordingly, withdrawal of the rejection is respectfully requested.

### **III. Rejection of the Claims under 35 U.S.C. § 103**

Claims 1, 2, 4 and 5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the background of invention further in view of U.S. Patent No. 6,449,466 issued to Jin et al. ("Jin").

Applicants amend independent Claim 1 incorporate all of the limitations of dependent Claim 5.

Applicants submit that neither the background of the invention nor Jin teaches or suggests “an updating period of the error compensation coefficient is faster than an updating period of the nonlinear coefficient,” as recited in amended Claim 1. The Examiner asserts that the update period is a design choice. However, the Examiner has not shown that the cited references disclose that the error compensation coefficient should be updated at all. Thus, the Examiner has not established a *prima facie* case of obviousness with respect to the relative updating speeds between the error compensation coefficient and the nonlinear coefficient. Thus, amended Claim 1 and its dependent claims are non-obvious over the cited references. Claim 5 is cancelled.

For at least the foregoing reasons, Claims 1, 2, 4 and 5 are non-obvious over the background of the invention further in view of Jin. Accordingly, withdrawal of the rejection of Claims 1, 2, 4 and 5 is requested.

Applicants also amend independent Claim 6 to incorporate all of the limitations of dependent Claim 9. Thus, for analogous reasons mentioned above, Claim 6 and its dependent claims are allowable over the cited references.

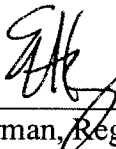
### **CONCLUSION**

In view of the foregoing, it is believed that all claims are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

Respectfully submitted,

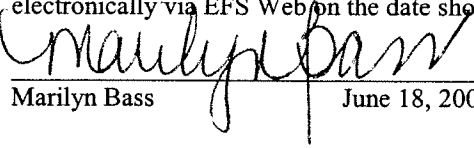
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I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

  
Marilyn Bass

June 18, 2009